



COUNTY OF LOS ANGELES  
DEPARTMENT OF PARKS AND RECREATION  
*"Creating Community Through People, Parks and Programs"*



May 3, 2005

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION INITIATING PROCEEDINGS FOR  
THE ESTABLISHMENT OF FISCAL YEAR 2005-06 ANNUAL ASSESSMENTS  
FOR ZONES WITHIN LOS ANGELES COUNTY LANDSCAPING AND LIGHTING ACT  
(LLA) DISTRICT NOS. 1, 2 AND 4 AND FOR  
THE PREPARATION OF AN ENGINEER'S REPORT  
(1st, 3rd, 4th and 5th Districts - Three-Vote Matter)**

**IT IS RECOMMENDED THAT YOUR BOARD**

1. Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) according to the sections of the State CEQA Guidelines and the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987 cited herein.
2. Adopt the attached Resolution Initiating Proceedings for the levying of annual assessments for landscape and park maintenance purposes for Los Angeles County Landscaping and Lighting Act (LLA) Districts 1, 2 and 4 and Zones therein, pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, and as provided by Article XIID of the California Constitution.
3. Designate the Director of the Department of Parks and Recreation as the "Engineer" for purposes of implementing this procedure.
4. Instruct the Director of the Department of Parks and Recreation to prepare and file an Engineer's Report in accordance with Article 4 (commencing with Section 22565) of Chapter 1, Part 2, Division 15 of the Streets and Highways Code of the State of California.



### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of these recommended actions is for your Board to initiate proceedings for the levying of annual assessments for landscape and park maintenance purposes by directing this Department to prepare the required annual Engineer's Report.

This Board action only initiates the assessment process and does not, in itself, establish any assessment rates.

On July 12, 1979, August 10, 1995, and July 22, 1997, your Board approved the formation of Los Angeles County Valencia Area-Wide LLA District No. 1 and County LLA Districts No. 2 and No. 4 and Zones therein, respectively, for the purpose of providing landscaping in County-administered Landscaping and Lighting Act Districts and Zones therein pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15, of the Streets and Highways Code of the State of California. As the governing body, the Board of Supervisors is responsible for approving the levying of annual assessments for landscape and park maintenance purposes. Board adoption of the Resolution Initiating Proceedings institutes the annual assessment process for the renewal or increase of existing annual assessments for the 2005-06 Fiscal Year. The proposed increases are limited to annual cost of living increases, which have been approved by the subject property owners in accordance with the Streets and Highways Code of the State of California and Article XIID of the California Constitution.

Proceedings regarding the proposed annual assessments will be considered pursuant to a future Resolution of Intention, as required by the Streets and Highways Code of the State of California and as provided by Article XIID of the California Constitution.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

These actions will further the County's Strategic Plan Goals of Service Excellence (Goal One) and Fiscal Responsibility (Goal Four). These recommendations, in compliance with the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution, will allow the County to service and maintain the park, landscaping and appurtenant facilities that benefit those that live within these zones.

### **FISCAL IMPACT/FINANCING**

All services provided in the Districts, and Zones therein, are funded by the assessments established by the Board of Supervisors. There is no fiscal impact to the General Fund.



### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Landscaping and Lighting Act (the Act) sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. The Act, Government Code Section 53753, and the California Constitution have established procedures that must be followed for the levy of any new or increased assessments. The Act requires that the legislative body adopt a Resolution Initiating Proceedings, and generally describe any proposed improvements or substantial changes in existing improvements. The legislative body must also order the Engineer to prepare and file a report in accordance with Section 22565 et seq. of the Streets and Highways Code.

Over the next two months, we will submit for your Board's approval the required Engineer's Report and Resolution of Intention setting the public hearing date to establish the assessments for Fiscal Year 2005-06, pursuant to the Streets and Highways Code of the State of California and as provided by Article XIID of the California Constitution.

County Counsel has approved the enclosed Resolution as to form.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

None.

### **ENVIRONMENTAL DOCUMENTATION**

The proposed amendment is exempt from CEQA according to Sections 15306 of the State CEQA Guidelines and Class 6 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987 because CEQA does not apply to projects consisting of basic data collection. CEQA does not apply to the establishment, modification, structuring, or approval of rates, tolls, fares, or other charges by public agencies. Approval of the amendment is also exempt from CEQA because it is for the purposes of (1) meeting operating expenses including employee wage rates and fringe benefits, (2) purchasing and leasing supplies, equipment or materials, (3) meeting financial reserve needs and requirements and/or (4) obtaining funds for capital projects necessary to maintain service within existing service areas, pursuant to Section 21080 (b) 8 of the Public Resource Code.

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**CONCLUSION**

It is requested that an executed copy of this document be retained by the Executive Officer-Clerk of the Board, one conformed copy each be forwarded to the Chief Administrative Office, County Counsel and Auditor-Controller, and two conformed copies be forwarded to the Department of Parks and Recreation.

Respectfully submitted,



Russ Guiney  
Director

RR:ka:BdLtr1 Initiate 5\_3\_05

cc: Chief Administrative Officer  
Executive Officer, Board of Supervisors (22)



**COUNTY OF LOS ANGELES  
BOARD OF SUPERVISORS**

**RESOLUTION INITIATING PROCEEDINGS FOR THE LEVYING  
OF FISCAL YEAR 2005-06 ANNUAL ASSESSMENTS FOR  
LANDSCAPE MAINTENANCE PURPOSES IN LOS ANGELES COUNTY  
LANDSCAPING AND LIGHTING ACT (LLA) DISTRICT NOS. 1, 2 AND 4  
AND ZONES THEREIN AND FOR THE PREPARATION OF AN ENGINEER'S  
REPORT PURSUANT TO PROVISIONS OF THE LANDSCAPING AND LIGHTING  
ACT OF 1972 (PART 2, DIVISION 15, STREETS AND HIGHWAYS CODE,  
STATE OF CALIFORNIA) AND AS PROVIDED BY  
ARTICLE XIID OF THE CALIFORNIA CONSTITUTION**

**WHEREAS**, on July 12, 1979, August 10, 1995, and July 22, 1997, the Board of Supervisors of the County of Los Angeles approved the formation of County Valencia Area-Wide Landscaping and Lighting Act (LLA) District No. 1 and Los Angeles County Landscaping and Lighting Act LLA Districts No. 2 and No. 4, respectively, for the purpose of providing funds for the operation of the County-administered Landscaping and Lighting Act Districts and Zones therein pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California; and

**WHEREAS**, three (3), twenty-five (25) and sixteen (16), separate Zones have been established within the Los Angeles County LLA District Nos. 1, 2 and 4, respectively, with each Zone consisting of territory receiving substantially the same degree of benefit from the improvements; and

**WHEREAS**, each of the three (3), twenty-five (25) and sixteen (16) Zones within Los Angeles County LLA District Nos. 1, 2 and 4, respectively, retain separate budgets, District Account Codes, Trust Accounts, and Fund Organization Numbers established by the Los Angeles County Auditor-Controller; and

**WHEREAS**, the Board of Supervisors of the County of Los Angeles previously approved the formation of the existing Landscaping and Lighting Act District/Zones for the purpose of providing funds for the provision of landscape maintenance services located therein pursuant to the Act; and

**WHEREAS**, provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California require the legislative body to adopt a Resolution Initiating Proceedings, generally describe any proposed improvements or substantial changes in existing improvements and order the Engineer to prepare and file a report in accordance with Section 22565, et. seq. of the Streets and Highways Code and as provided by Article XIIID of the California Constitution.

**NOW, THEREFORE, BE IT RESOLVED,**

**Section 1.** That the Board of Supervisors of the County of Los Angeles proposes to establish assessments for park and landscape maintenance purposes for the 2005-06 Fiscal Year to be levied against property in Los Angeles County LLA District Nos. 1, 2 and 4 and the Zones therein pursuant to provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, and



**Section 2.**

That the Director of the Department of Parks and Recreation is hereby ordered to prepare and file reports in accordance with Article 4 commencing with Section 22565, of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code of the State of California.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 2005, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive Officer-  
Clerk of the Board of Supervisors of  
the County of Los Angeles

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM  
BY COUNTY COUNSEL

RAYMOND G. FORTNER, JR.

By:   
Deputy